# **Staff Summary Report**



City Council Meeting Date: 3/24/11 Agenda Item Number: 5D1

**SUBJECT:** Second and final public hearing to adopt an ordinance for the Historic Designation of

the LAIRD-SIMPSON HOUSE located at 1204 South Mill Avenue.

DOCUMENT NAME: 20110324cddk01 PLANNED DEVELOPMENT (0406) ORDINANCE NO. 2011.08

**COMMENTS:** Request for LAIRD – SIMPSON HOUSE (PL100423) (Elna Rae Zeilinger, property

owner; Tempe Historic Preservation Office, applicant) consisting of Historic

designation and listing in the Tempe Historic Property Register for the Laird - Simpson House, consisting of one (1) lot on approximately 0.25 acres, located at 1204 South Mill Avenue, in the R-2, Multi-Family Residential District. The request includes the

following:

HPO11001 (Ordinance No. 2011.08) – Historic Designation consisting of one (1) lot.

PREPARED BY: Diana Kaminski, Senior Planner 480-858-2391

**REVIEWED BY:** Lisa Collins, Community Development Deputy Director (480-350-8989)

**LEGAL REVIEW BY:** Teresa Voss, Assistant City Attorney (480-350-8814)

**DEPARTMENT REVIEW BY:** Chris Anaradian, Community Development Director (480-858-2204)

**FISCAL NOTE:** There is no fiscal impact on City funds.

**RECOMMENDATION:** Staff – Approval

Historic Preservation Commission – (02/10/2011) (Approval 8-0 vote) Development Review Commission – (02/22/2011) (Approval 7-0 vote)

**ADDITIONAL INFO:** 



Year Built 1940
Total Lots 1
Zoning R-2
Net site area 0.25 acres

- This project has a Memorandum of Understanding that stipulates conditions for rehabilitation.
- A neighborhood meeting was held on January 13, 2011 for this application.
- A Historic Preservation Commission hearing was held on February 10, 2011 for this application.

**PAGES:** 2. List of Attachments

3-4. Comments

5. Reason for Approval / Conditions of Approval

6-7. History & Facts / Zoning & Development Code Reference

**ATTACHMENTS:** 1. Ordinance No. 2011.08

2-3 Memorandum of Understanding

4. Location Map

5. Aerial

6-7. Nomination Form and Letter

8. Letter of Support

9. Photo

#### COMMENTS:

The property is located south of University Drive on the west side of Mill Avenue within the Maple Ash Neighborhood Association. The 1940 Laird - Simpson House is located on Lot 9 of Block 3 in the Park Tract subdivision. Block 3 forms the southeastern corner of the subdivision and of the original Tempe town site from 1894. Some of the larger lots on the eastern edge of Park Tract have been redeveloped for non-residential use resulting in sporadic loss of integrity at the historic neighborhood perimeter. Block 3 at the southern edge of Park Tract, however, retains substantial integrity with the majority of historic properties standing and maintaining their historic land use. Park Tract subdivision is identified as a Cultural Resource Area in Tempe's land use plan: General Plan 2030. Cultural Resource Areas are considered significant to the character of Tempe, and the plan states that it is desirable to maintain the character of these areas. General Plan 2030 further states that the underlying zoning in place at the time plan was adopted should remain as the highest appropriate density for Cultural Resource Areas. Accordingly, Cultural Resource Areas are indicated on the General Plan 2030 Projected Land Use Map with the density of the zoning in place at the time the plan was adopted on December 4, 2003. The subdivision of Park Tract predated adoption of a zoning ordinance by the Tempe Town Council. The subject property is zoned R-2: Multi-Family Residential, modern density and development standards, if they were utilized, would be out of character, the Memorandum of Understanding and the Historic Designation protects the property from any potential future redevelopment.

The 1940 Laird-Simpson House is significant for its association with Hugh E. Laird and his wife Edna Hackett Laird; with their daughter and son-in-law Ruby and Clayborn Edward "Ed" Simpson; and with local architect Kemper Goodwin. Statistically, the property is in the top 99.5% of all Tempe properties in terms of age and therefore survives as a rare example of pre-World War II residential construction in Tempe. The property has been damaged by fire however the property's extraordinary association with persons significant in our community history remains intact. The owners have requested historic designation based on a Memorandum of Understanding with the city that stipulates conditions for rehabilitation whereby the property can continue to convey its historic significance. HPO research developing the significance of the property in the context of our community history including multiple biographical associations is available online at: http://www.tempe.gov/historicpres/LairdZeilingerHouse.html

#### PUBLIC INPUT:

On December 9, 2010, the property owners approached the Historic Preservation Commission to discuss the significance of the property for its association with the historic Park Tract subdivision; with the Laird and Simpson families; with Kemper Goodwin, and as an excellent example of the Ranch style house form. The commission also discussed conditions whereby HPO could support and recommend that the property be designated historic and listed in the Tempe Historic Property Register. On January 13, 2011, Tempe Historic Preservation Commission held a neighborhood meeting to notify property owners, residents, and neighborhood/homeowner association representatives of the process and request for historic designation. At that meeting 11 neighbors indicated support of the nomination, and a letter of support for the nomination signed by 23 members of nearby Tempe Women's Club was acknowledged. Also at that meeting, Tempe Historic Preservation Commission reached consensus to hold a public hearing, take input from the owners, stakeholders, and interested persons and to make a recommendation regarding the proposed designation. On February 10, 2011, the Historic Preservation Commission heard this request. To date, staff is not aware of any opposition to the proposed individual property designation.

#### PROJECT ANALYSIS:

The historic 1940 Laird-Simpson House located at 1204 South Mill Avenue in the Park Tract subdivision is nominated for designation and listing in the Tempe Historic Property Register at the request of the property owners, Elna Rae and Phil Zeilinger. The property is historically significant and is considered to be potentially eligible for this action by the Historic Preservation Office. The Laird-Simpson House is significant for its association with the 1924 Park Tract subdivision, one of Tempe's oldest intact subdivisions; with Hugh E. and Edna V. (Hackett) Laird, their daughter Ruby (Laird) Simpson and her husband Clayborn Edward "Ed" Simpson; and with local architect Kemper Goodwin. Statistically, the property is in the top 99.5% of all Tempe properties in terms of age and therefore survives as a rare example of pre-World War II residential construction in Tempe. Based on data from HPO files corroborated by Maricopa County Assessor's Office records, 181 standing properties are believed to predate the historic 1940 Laird - Simpson House, having year-built dates of 1939 or earlier.

The Laird-Simpson House is an excellent example of the Ranch style house form popular in Tempe as early as 1935, and is one of only several houses in Park Tract believed to have been designed by an architect. The house is attributed to prominent local architect Kemper Goodwin (1906-1997). Goodwin was born in Tempe in 1906 and trained at the University of Southern California. Licensed to practice architecture in Arizona in 1931, he established his own practice in Tempe after several years working for

Phoenix firms. Over the next thirty years his Tempe firm became one of the most successful architectural firms in Arizona. Although Goodwin specialized in designing educational facilities, including several prominent buildings at Arizona State University's Tempe campus, Kemper also designed a number of homes. Although the Laird-Simpson House has been damaged, much of the historic fabric remains intact and it could be rehabilitated to help preserve the historic character of this reach of Mill Avenue.

#### **CONDITION:**

The historic 1940 Laird-Simpson House has been damaged by fire. The historic structure is clay brick masonry house built in 1940 and converted to a duplex in 1957, when a wood frame addition was added to the rear to provide a second kitchen and bath, along with an Arizona room. Today the property includes both the duplex with addresses 1204 and 1206, and a separate apartment to the rear with alley access and an address of 1204 ½ S. Mill Ave. The owner plans to rehabilitate the historic 1940 Laird - Simpson House to its original use as a single family house, remove the frame addition at the rear, and resume use of the historic 1204 South Mill Avenue address. A July 24, 2010 fire compromised the structural integrity of the historic house. The front (east) façade experienced the most damage due to an explosion, reported as a smoke event, which blew two large steel casement windows out of the wall, displacing bricks and steel lintels. Additional damage was done to portions of the roof and areas of the floor. In addition, all of the historic steel casement windows were subsequently removed and disposed of as a lead-based paint mitigation strategy.

The Tempe Historic Preservation Office prepared a Memorandum of Understanding between the property owners and the city stipulating how to rehabilitate the property to retain eligibility for historic designation and listing in the Tempe Historic Property Register. The stipulations are: ensure that the roof shall remain a full-hip roof faithful to historic form and proportions, and; ensure that the exterior walls shall remain the original clay brick masonry faithful to historic form and proportions but no longer used in a load-bearing capacity in damaged areas, and; ensure that the windows shall remain steel casement windows faithful to historic form and proportions and in existing masonry openings made neither smaller or larger except in locations where fire egress is required.

For the Laird - Simpson House to be designated historic on the basis of its association with the lives of significant persons, the property must maintain integrity of **materials**, **feeling**, and **association** to convey significance. As seen in the following discussion, the property in its current condition could most easily meet the minimum requirements, and planning and implementation of repairs will anticipate this as the basis for designation and listing.

**Materials** – To qualify for historic designation, a property must retain key exterior materials dating from the period of its historic significance. Integrity of materials determines whether or not an authentic historic resource still exists. The Laird-Simpson House must retain key physical elements as they were originally configured to reveal the preferences, to indicate the availability of particular types of materials, to exemplify technologies, and to reflect contemporary determinants of demand including consumer tastes and preferences, market size, income, prices of related goods, and consumer expectations. In a materials palate as abbreviated as that of the Ranch style house, every element takes on heightened significance and diagnostic value. At the Laird-Simpson House, the architect focused primarily on exploiting the clay masonry brick work in a masterful rendition that exceeds the form of most contemporaneous examples.

**Feeling** – Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. For eligibility under Criterion B, a property must retain an authentic sense of period of significance. The physical features of the Laird - Simpson House, taken together, are sufficiently intact to convey their prewar period of significance to someone familiar with the original property as well as to persons throughout the community to whom the property distinguishes itself as historic. Retention and of original design, materials, workmanship, and setting as described above create a discernable sense of place and a feeling of history about the property.

Association – Association is the direct link between an important historic event or person and an historic property. The Laird-Simpson House maintains direct and uninterrupted links to the Laird-Simpson family who have owned the property continuously since 1940 when Hugh Laird built the home for his daughter Ruby (Laird) Simpson, her husband Ed Simpson, and grandchildren Elna Rae and Laird. Hugh Laird lived with his daughter and son-in-law on the property for several years after his wife, Edna (Hackett) Laird, died in 1943; to accommodate Hugh the family added a breakfast room to the house in 1943. In 1955, Elna Rae Simpson married E.C. Pohlman and the house was converted into a duplex with E.C. and Elna Rae on one side and Ruby and Ed on the other. The house has remained a duplex until the present time and is still owned by Elna Rae (Simpson) Zeilinger, granddaughter of the original builder, Tempe Mayor Hugh E. Laird.

#### **CONCLUSION:**

The Secretary of the Interior's Standards for Rehabilitation provide a framework for evaluating the effects of changes on the integrity of a property. The standards define rehabilitation as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values. Using treatments specified in the Secretary of the Interiors Standards and Guidelines for Rehabilitation, the owners and the city have executed a memorandum of understanding stipulating how the fire damage to the property is to be repaired allowing the property to be made eligible for the requested historic designation and listing in the Tempe Historic Property Register.

The basis for historic designation and listing in the Tempe Historic Property Register is provided by Tempe City Code Sec. 14A-4. Designation of landmarks, historic properties and historic districts –

- (a) The following criteria are established for designation of an individual property, building, structure or archeological site:
  - (1) It meets the criteria for listing on the Arizona or national register of historic places;
  - (2) It is found to be of exceptional significance and expresses a distinctive character, resulting from:
    - a. A significant portion of it is at least fifty (50) years old; is reflective of the city's cultural, social, political or economic past; and is associated with a person or event significant in local, state or national history; or
    - b. It represents an established and familiar visual feature of an area of the city, due to a prominent location or singular physical feature; or
  - (3) If it has achieved significance within the past fifty (50) years, it shall be considered eligible for designation as a landmark if it is an integral and critical part of an historic district or demonstrates exceptional individual importance by otherwise meeting or exceeding the criteria specified in paragraphs (1) or (2) of this subsection above. At such time as a landmark becomes fifty (50) years old, it will automatically be reclassified as an historic property.

#### **REASONS FOR APPROVAL:**

- 1. This request implements the General Plan Historic Preservation Element.
- 2. The Laird-Simpson House is significant for its association with the 1924 Park Tract subdivision, one of Tempe's oldest intact subdivisions.
- 3. The Laird-Simpson House is significant for its association with Edna V. and Hugh E. Laird, and their daughter Ruby and her husband Clayborn Edward "Ed" Simpson; and with local architect Kemper Goodwin.
- 4. The Laird Simpson House is significant as a rare surviving example of a once common type, the pre 1941 property falls in the upper ninety-ninth percentile (n = 181/53,665 = 99.56) of Tempe properties in terms of age.

#### CONDITIONS OF APPROVAL:

The Laird - Simpson House will be rehabilitated subject to the stipulations of a Memorandum of Understanding between the City
and the property owners prepared to ensure the property will remain eligible for historic designation and listing after
rehabilitation is complete.

## **HISTORY & FACTS:**

c. 1897	Clara Laird purchases the dry goods store on the corner of Fifth and Mill and takes Dr. James Dines as a partner to teach Clara's boys, Hugh, Bill and Claude to be pharmacists; the building becomes known as the Laird & Dines drug store – Tempe Historical Society.
01/18/1901	Clayborn E. "Ed" Simpson born in Bell County, Texas, the third child of James and Salitha Simpson.
05/16/1910	Ruby Laird born in Tempe, the second child of Hugh E. and Edna V. (Hackett) Laird.
05/12/1916	Hugh Laird is appointed by Congressman Carl Hayden as postmaster to fill a vacancy created by the resignation of J. W. Woolf – <i>Tempe News</i> .
03/24/1920	Hugh E. Laird (1882-1970), E. W. Hudson (1881-1972), and Fred J. Joyce (1881-1967) file organization papers with the County Recorder for the Park Tract Trust, a business trust organized for acquisition, subdivision, and development of real property – Janus Assoc 1983. Tempe has a population of 1,900.
04/10/1924	The Park Tract residential subdivision is platted by Hugh Laird, E. W. Hudson, and Fred J. Joyce on behalf of the Park Tract Trust in response to a housing shortage in Tempe – MCR Book 13 of Maps, page 27.
07/01/1926	Hugh Laird takes office on the Tempe Town Council, beginning 34 consecutive years of service including 14 years of service as Mayor in two terms 1928-1930 and 1948-1960 – Tempe History Museum http://www.tempe.gov/museum/Tempe_history/h-mayors.htm
1928	Ed Simpson arrives in Tempe after working for two years at a trading post at Rice, Arizona on the San Carlos Indian Reservation; Simpson works at Baber Mercantile Co. store at 230 Mill Avenue.
09/21/1929	Tempe is reorganized as City of Tempe with a charter election; Hugh Laird is selected by Council as Tempe's first mayor - Smith 1990 Tempe Arizona Crossroads, page 72.
c. 1933	Hugh Laird serves as a member of the Arizona State Legislature (1933-1934).
08/14/1933	Ed Simpson and Ruby Laird wed in Tempe.
c. 1933	Ed Simpson establishes Simpson's Market at 524 Mill Avenue; he and Ruby operate the business for twenty-three years.
02/06/1935	First Tempe Planning & Zoning Board appointed in connection with Federal Relief Program by Council meeting in special session at the Tempe National Bank (Hugh Laird, Chair).
c. 1940	Hugh Laird arranges for construction of the historic 1940 Laird - Simpson House on Lot 9 of Block 3 of the Park Tract Subdivision – MCR Book. Ed and Ruby Simpson and their two children, Elna Rae and Laird, occupy the house and secure a mortgage on the property to repay Hugh. The population of Tempe is 2,900.
1943	Edna (Hackett) Laird dies and Hugh Laird moves into the historic 1940 Laird - Simpson House. To accommodate Hugh the family adds a breakfast room to the house.
07/01/1948	Hugh Laird takes office as Mayor for the second of two terms (1928-1930 and 1948-1960) – Tempe History Museum <a href="http://www.tempe.gov/museum/Tempe_history/h-mayors.htm">http://www.tempe.gov/museum/Tempe_history/h-mayors.htm</a>
1954	Ed Simpson sustains serious injuries in a car accident and retires from day-to-day management of Simpson's Market.
1955	Elna Rae Simpson marries Edward Charles "Ted" Pohlman and the Simpson family converts the historic 1940 Laird – Simpson House into a duplex; Elna Rae and Ted occupy the one-bedroom side of the house while Ed, Ruby, and Laird live in the two-bedroom side.
08/08/1956	Ed Simpson dies of a heart condition and a day later Ruby Simpson sells the family business.
c. 1964	Laird & Dines Drug Store closes after 68 years of operation at the corner of Mill Avenue and Fifth Street. Tempe becomes a charter government city and elects its mayor directly for the first time.

04/17/1970	Hugh E. Laird, age 87, dies in Phoenix. – Arizona Republic, 17 April 1970, 28:1
12/03/2003	Voters approve Tempe General Plan 2030 recognizing Park Tract Subdivision as a Cultural Resource Area – <i>Arizona Republic</i> , 5 December 2004.
07/24/2010	At 22:48 hours Tempe Fire Department Battalion 271 responds to a house fire at 1204/1206 South Mill Avenue; the front façade experienced the most damage – M. Reichling, Tempe Fire Department Senior Fire Inspector/Investigator, PIO.
11/09/2010	Tempe HPC discusses historic designation, recognizes the property's significance, and identifies conditions whereby HPO could support and HPC could recommend that the historic 1940 Laird - Simpson House be designated historic.
12/14/2010	Owner nominates the historic 1940 Laird - Simpson House for historic designation and listing in the Tempe Historic Property Register.
12/16/2010	HPO prepares a Memorandum of Agreement for City Attorney review to initiate the 100 day designation process to run concurrent with building permit processing to get repairs underway more quickly.
01/13/2011	A neighborhood meeting is held by the Historic Preservation Commission for historic designation and listing in the Tempe Historic Property Register for the Laird – Simpson House.
02/10/2011	A public hearing is held by the Historic Preservation Commission for historic designation and listing in the Tempe Historic Property Register for the Laird – Simpson House.
02/22/2011	Development Review Commission hears the request and recommends approval of historic designation.
03/10/2011	City Council introduced and held the first public hearing for this request.
03/24/2011	City Council second and final public hearing for this request.

### **ZONING AND DEVELOPMENT CODE REFERENCE:**

Zoning and Development Code, Section 6-304, Zoning Amendment

## CITY CODE REFERENCE:

City Code, Chapter 14a, Historic Preservation